

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**
CHARLOTTESVILLE DIVISION

DONALD R. SCOTT, ET AL.,

Plaintiffs,

v.

GMAC MORTGAGE, LLC,

Defendant.

CIVIL No 3:10cv00024

ORDER

JUDGE NORMAN K. MOON

For the reasons stated in the accompanying Memorandum Opinion, Defendant's Motion to Dismiss (docket no. 6) is GRANTED as to Plaintiffs' constructive fraud claim, and DENIED as to Plaintiffs' actual fraud claim.

The Clerk of the Court is directed to send a certified copy of this memorandum opinion and the accompanying order to all counsel of record.

Entered this 25th day of August, 2010.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE